

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

MAIL PROCESSING NETWORK RATIONALIZATION
SERVICE CHANGES, 2011

Docket No. N2012-1

**UNITED STATES POSTAL SERVICE OBJECTION TO
AMERICAN POSTAL WORKERS UNION, AFL-CIO INTERROGATORIES
(APWU/USPS-T4-14-15)
(January 27, 2012)**

The United States Postal Service files this objection to the above-identified interrogatories of the American Postal Workers Union, AFL-CIO (APWU) filed on January 17, 2012. Each interrogatory is stated verbatim and followed by a statement of the basis for the objection.

APWU/USPS-T4-14 Please refer to Section 101(e) of Title 39 which provides: “In determining all policies for postal services, the Postal Service shall give the highest consideration to the requirement for the most expeditious collection, transportation and delivery of important letter mail.” Please explain how the Postal Service gave the “highest consideration” to the requirement of Section 101(e).

APWU/USPS-T4-15 Please refer to Section 101(f) of Title 39 which provides in part: “Modern methods of transporting mail by containerization and programs designed to achieve overnight transportation to the destination of important letter mail to all parts of the Nation shall be a primary goal of postal operations.” Please explain how the changes to service standards and network design presented in this docket comply with Section 101(f).

Both interrogatories call for a legal conclusion. The Postal Service objects to the interrogatories because they request a response that would require legal analysis, and none of the Postal Service witnesses – including witness Neri – are lawyers or otherwise possess the knowledge, experience, or expertise that would enable them to provide a legal conclusion. In addition, the interrogatories reproduced above do not address any statements made by witness Neri or any other Postal Service witness, and no portion of Postal Service witness testimony contains a statement regarding

compliance with a specific provision of Title 39. The APWU will have the opportunity to explore the legal issues addressed in the interrogatories cited above, and other legal arguments, during the briefing stage of this docket. The Postal Service will offer its legal arguments interpreting applicable statutes at that time. There should be no expectation that it will do so as part of the process of this docket reserved for the development of factual evidence.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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